

# Saiber

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December 1, 2009

**VIA FACSIMILE - (609-989-0435)**  
Hon. Tonianne J. Bongiovanni, U.S.M.J.  
United States District Court  
Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

RECEIVED  
DEC - 4 2009  
AT 8:30  
WILLIAM T. WALSH  
CLERK

**RE: Scottsdale Insurance Co. v. Somerville Fidelco Associates, LP, et al.**  
**Civil Action No.: 07-cv-02763 (AET) (TJB)**

Dear Judge Bongiovanni:

We represent the Third-Party Defendant American Home Assurance Company ("AHA") in the above-referenced matter.

As per my conversation with your Chambers earlier today, this will confirm the collective request of AHA, Plaintiff Scottsdale Insurance Company ("Scottsdale") and Third-Party Defendant Quincy Mutual Fire Insurance Company ("Quincy Mutual") to reschedule the return date of their respective summary judgment motions to January 19, 2010, and the deadline for filing of replies to January 12, 2010. Counsel for all movants and for Somerville Fidelco consent to this request. As per your Chambers' instructions, we request that you "So Order" these dates if it meets the Court's approval.

The motions are currently scheduled to be decided on the papers. Should the Court determine to hear argument on these motions, the parties request that it be scheduled for a date after January 19, 2010 that is convenient for the Court, but taking into account the availability of counsel, including scheduled trial dates in January. The parties will be available to discuss a hearing date with the Court should argument be desired.

Thank you for your time and consideration.

So Ordered this 3 day  
of December, 2009



Respectfully submitted,

  
MICHAEL H. COHEN

MHC/man  
cc: (via e-mail)  
All Counsel